

USSN 09/828,497

PATENT RESPONSE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
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AUG 10 2004

Application: 09/828,497  
Filing Date: April 5, 2001  
Inventors: Dustin M. Davis and Jane R. Garrison  
Title: Method and System for Consummating a Transaction in a Biometric Verification System Based on Prior Transactional Histories  
Examiner: Firmin Backer  
Art Unit: 3621  
Old Attorney Docket: 027448.0008  
New Attorney Docket: **BAC-32571 (19620.0005)**  
Confirmation No.: 6818  
Customer No.: 022202

**OFFICIAL****CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

**Mailing**

☐ deposited with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ 37 CFR 1.8(a) with sufficient postage as first class mail ☐ as "Express Mail Post Office to Addressee" Mailing Label No. \_\_\_\_\_

**37 CFR 1.10****Transmission**

☒ transmitted by facsimile to Fax No. (703) 872-9306 addressed to Examiner Backer at the Patent and Trademark Office.

Date: 8-10-04Benedicta Jackson

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Dear Sir:

Introductory Comments begin on:	page 2
Amended Specification begins on:	page 3
Amended Claims begin on:	page 7
Remarks begin on:	page 14
Conclusion begins on:	page 18
Extension of Time begins on:	page 19

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PATENT RESPONSE

INTRODUCTORY COMMENTS

After careful review, Applicant hereby responds to a February 10, 2004 non-final Office Action regarding the above-referenced patent application. In view of this Response, Applicant respectfully requests reconsideration of this application.

Applicant has not added new matter with this Response, and intends the scope of the invention and claims to be the same before and after this Response. Indeed, Applicant only offers this Response to clarify the invention for the Examiner, and to assist the Examiner's understanding of the same. More specifically, Applicant has not intended this Response to effectuate a narrowing of the claims, foreclose techniques that are not reasonably foreseeable at this time, or effect the applicability and scope of the Doctrine of Equivalents.